

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NORTH CAROLINA  
SOUTHERN DIVISION

THE ESTATE OF JOSEPH WHITLOCK SMITH, )  
*by and through Administarix JoAnne S. Smith,* )

Plaintiff, )

v. )

UNITED STATES OF AMERICA, )

Defendant. )

**JUDGMENT**

7:23-CV-1078-BO-RN

**Decision by Court.**

This cause comes before the Court on a renewed motion to dismiss pursuant to Fed. R. Civ. P. 12(b)(1) filed by defendant.

**IT IS ORDERED, ADJUDGED AND DECREED** that defendant's renewed motion to dismiss the complaint for lack of subject matter jurisdiction [DE 24] is GRANTED. The complaint is DISMISSED.

**This judgment filed and entered on February 27, 2025, and served on:**

Wade E. Byrd (via CM/ECF NEF)

Sharon Wilson (via CM/ECF NEF)

PETER A. MOORE, JR., CLERK

February 27, 2025

/s/ Lindsay Stouch

By: Deputy Clerk